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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,356	10/31/2001	Satoru Matsuda	112857-299	2287
29175	7590	01/05/2005		EXAMINER
BELL, BOYD & LLOYD, LLC				REILLY, SEAN M
P. O. BOX 1135			ART UNIT	PAPER NUMBER
CHICAGO, IL 60690-1135			2153	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/001,356	MATSUDA ET AL.
Examiner	Art Unit	
Sean Reilly	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 31 October 2001.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-26 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 31 October 2001 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All   b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

### **DETAILED ACTION**

This office action is a first action on the merits of this application. Claims 1-26 are presented for further examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Salas et al. (U.S. Patent Number 6,230,185; hereinafter Salas).

2. Regarding claim 1, Salas discloses an information processing apparatus for managing a community that is constructed via a network, comprising:

- a bulletin board (eRoom) for enabling information exchange between members of the community (Col 4, lines 25-30); and
- means for making a setting as to whether only the members of the community are to be permitted to write to and/or to read from the bulletin board, or whether users other than the members are to be permitted to write to and/or read from the bulletin board (Col 13, line 61 – Col 14 line 11).

3. Regarding claim 2, Salas discloses the information processing apparatus according to claim 1, wherein the community is formed in a shared virtual space (virtual workroom or eRoom) (Col 4, lines 17-30).

4. Regarding claim 3, Salas discloses the information processing apparatus according to claim 2, further comprising information storing means for storing virtual positional information of the community (Col 2, lines 51-56; Fig 2). For each community (eRoom or eRoom page) the system is aware of the positional information of each eRoom, ie. the directory or hierarchy of eRooms is known within the system.

5. Regarding claim 7, Salas discloses the information processing apparatus according to claim 1, wherein information to be shown on the bulletin board includes at least one of a community ID for identification of the community, a message ID for identification of a message on the bulletin board, a time when the message was written, a user ID that is assigned to a user who wrote the message, and a message ID of another message that is included if the message is a reply to said another message (inherent; Refer to Figure 10 and Col 2, lines 52-56).

6. Claims 8-9 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Hertz (U.S. Patent Number 6,460,036).

7. Regarding claim 8, Hertz discloses an information processing apparatus for managing a plurality of communities in a virtual space, comprising:

- first storing means for storing pieces of positional information (similarity) of the respective communities in the virtual space (inherent) (determination of positional information - Col 76, line 58 – Col 77, line 21); and

- second storing means for storing information relating to bulletin boards that are provided in the communities (inherent), wherein when positional information of a newly generated community is stored in the first storing means (inherent), and
- wherein information relating to the newly generated community and which is to be written to bulletin boards of communities that are near the newly generated community in the virtual space is generated and stored in the second storing means (Col 77, lines 22-35).

8. Regarding claim 9, Hertz discloses the information processing apparatus according to claim 8, wherein the first storing means further stores, for each of the communities, information indicating whether a setting is made so that only members of the community can perform writing to the bulletin board and information indicating whether a setting is made so that only the members of the community can perform reading from the bulletin board (Col 77, lines 37-43 and Col 79, lines 23-27).

9. Regarding claim 26, Hertz discloses a community managing method for managing a plurality of communities in a virtual space, comprising the steps of:

- controlling the storage of pieces of positional information (similarity) of the respective communities in the virtual space (Col 76, line 58 – Col 77, line 21);
- controlling the storage of information relating to bulletin boards that are provided in the communities (inherent);
- generating information relating to a newly generated community to be written to bulletin boards of nearby communities that are near the newly generated community in the virtual space (Col 76, line 58 – Col 77, line 21); and

- sending the generated information to the nearby communities (Col 77, lines 22-35).

10. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salas et al. (U.S. Patent Number 6,230,185; hereinafter Salas) as applied to claim 1 above, and further in view of applicant's discussion of prior art.

11. Regarding claim 3, as disclosed by applicant, it was well known in the art at the time of invention to post messages to a message board via e-mail (Applicant Specification pg 3, lines 5-6). It would have been obvious to one of ordinary skill in the art at time of invention to include an option for posting messages to a message board via e-mail in the Salas system, so users could post messages to the message board without accessing the board.

12. Applicant should note that numerous applications including well known eGroups (now Yahoo! Groups) and USENET news groups both have utilized a combination of e-mail and web interface message posting well before 2000.

13. Regarding claim 5, Salas discloses the information processing apparatus according to claim 4, wherein the information storing means further stores information of an image that has been set by an owner of the community and is to be shown on the bulletin board (Col 5, lines 5-10).

14. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salas et al. (U.S. Patent Number 6,230,185; hereinafter Salas) as applied to claim 3 above, and further in view of MacNaughton et al. (U.S. Patent Number 6,020,884; hereinafter MacNaughton).

15. Regarding claim 6, Salas fails to disclose a community registration and cancellation questionnaires, however registration and cancellation questionnaires for online communities

were well known in the art as evidenced by MacNaughton. In a related art, MacNaughton discloses an online community system (Abstract) where users use a questionnaire to register and cancel membership (MacNaughton Col 9, lines 16-22). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the registration and cancellation procedure disclosed by MacNaughton within Salas's system, in order to in order to allow users to maintain multiple profiles for each community (MacNaughton Col 9, lines 18-19).

16. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) as applied to claim 8 above, and further in view of applicant's discussion of prior art.

17. Regarding claim 10, as disclosed by applicant, it was well known in the art at the time of invention to post messages to a message board via e-mail (Applicant Specification pg 3, lines 5-6). It would have been obvious to one of ordinary skill in the art at time of invention to include an option for posting messages to a message board via e-mail in the Hertz system, so users could post messages to the message board without accessing the board.

18. Claims 11 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) as applied to claim 8 above, and further in view of Salas et al. (U.S. Patent Number 6,230,185; hereinafter Salas).

19. Regarding claim 11, Hertz fails to disclose an image that has been set by an owner of the community and is to be shown on the bulletin board. However, displaying image on a bulletin board that is predetermined by an owner was well known in the art, as evidenced by Salas. In a

related art, Salas discloses a bulletin board system (abstract), which displays a predetermined image, set by the board owner (Salas Col 5, lines 5-10). It would have been obvious to one of ordinary skill in the art at the time of invention to display a predetermined image set by the community of owner/administrator within the Hertz system in order to provide a method to pictorially identify the viewed community (Col 5, lines 5-6).

20. Regarding claim 20, Salas discloses the information processing apparatus according to claim 8, further comprising a third storing means for storing at least one of a community ID for identification of a community, a user ID that is assigned to a user who uses the virtual space, a member ID that is assigned to a member of the community for his identification, information indicating whether the member is allowed to exercise all or part of the authorities of an owner of the community, and information indicating one of a state that the user is currently a member of the community, a state that the user has withdrawn from the community, and a state that the user is not allowed to join the community again (Salas Col 13, line 55 – Col 14 line 11).

21. Regarding claim 21, the combined systems of Hertz and Salas fail to disclose using email aliases to ensure user privacy. Examiner takes official notice that email aliasing was well known in the art at the time of invention. It would have been obvious to incorporate community member email aliasing within the combined Hertz and Salas system in order to ensure a member's email address remained private from other community members.

22. Claims 12-13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) as applied to claim 8 above, and further in view of MacNaughton et al. (U.S. Patent Number 6,020,884; hereinafter MacNaughton).

23. Regarding claim 12, Hertz fails to disclose a community registration and cancellation questionnaires, however registration and cancellation questionnaires for online communities were well known in the art as evidenced by MacNaughton. In a related art, MacNaughton discloses an online community system (Abstract) where users use a questionnaire to register and cancel membership (MacNaughton Col 9, lines 16-22). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the registration and cancellation procedure disclosed by MacNaughton within Hertz's system, in order to allow users to maintain multiple profiles for each community (MacNaughton Col 9, lines 18-19).

24. Regarding claim 13, MacNaughton discloses the information processing apparatus according to claim 8, wherein the information relating to the bulletin board that is stored in the second storing means includes at least one of a community ID for identification of the community (inherent, Col 21, line 12), a message ID for identification of a message on the bulletin board (inherent), a time when the message was written (inherent, Figure 6), a user ID that is assigned to a user who wrote the message (inherent, Figure 6 and Col 21, lines 11-12), and a message ID of another message that is included if the message is a reply to said another message (inherent, Figure 6, replies).

25. Regarding claim 19, the combined systems of Hertz and MacNaughton fail to disclose using email aliases to ensure user privacy. Examiner takes official notice that email aliasing was well known in the art at the time of invention. It would have been obvious to incorporate community member email aliasing within the combined Hertz and MacNaughton system in order to ensure a member's email address remained private from other community members.

26. Claims 14-18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) as applied to claim 8 above, and further in view of Castellani et al. (U.S. Patent Number 6,742,032; hereinafter Castellani).

27. Regarding claims 14-18 and 23, Castellani discloses a system for monitoring and encouraging community activity (abstract). A community cricket monitors the level of activity or interaction among users (Col 4, lines 4-5) and takes a particular action when the activity drops below a certain threshold (Col 6, lines 26-29). The threshold is established by a network administrator (Col 5, lines 5-9) and may include how often messages are posted, replied or accessed for example (Newsgroup – Col 4, lines 58-62). When a community's activity drops below the defined threshold the cricket will activate and attempt to motivate members of the community to post messages (Col 6, lines 34-37). The community cricket acts as an agent on behalf of the network administrator. Therefore the community cricket monitor provides an administrator notification means, which may detect and notify based on any of the set threshold inputs such as unread and unrepplied to messages. It would have been obvious to one of ordinary skill in the art at the time of invention to include Castellani's community cricket functionality in the online community system disclosed by Hertz, in order to detect sleeping communities and prevent them from dying (Col 3, lines 14-19).

28. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) and Salas et al. (U.S. Patent Number 6,230,185; hereinafter Salas) as applied to claim 21 above, and further in view of Olivier (U.S. Patent Number 6,480,885).

29. Regarding claim 22, the combined system of Hertz and Salas fails to disclose a keyword based message notification system. In a related art, Olivier discloses a message based communication system (abstract) where a user “specifies a user profile and acceptance criteria for determining with whom and about what topics they wish to interact” (Col 5, lines 22-26). Olivier also discloses judging means for judging, when a new message is written to a bulletin board (Col 5, line 33), whether the new message includes the keyword (Col 5, lines 40-44); and sending means for sending an e-mail to the member who set the keyword if the judging means judges that the new message includes the keyword (Col 5, lines 44-47). It would have been obvious to combine the system of Olivier within the combined Hertz and Salas system in order to allow users to very easily create discussion niches of meaning to them (Oliver Col 3, lines 47-48).

30. Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hertz (U.S. Patent Number 6,460,036) as applied to claim 8 above, and further in view of Slashdot.org FAQ (Cited in NPL section of PTO-892; hereinafter Slashdot).

31. Regarding claims 24 and 25, Hertz fails to disclose managing message posts based on user feedback however, such management was well known in the art at the time of invention as evidenced by Slashdot. In a related art, Slashdot discloses a message board system where users evaluate posted messages using a point system (pg 5, How does moderation work?). The rated message score then determines whether or not the message is displayed to a user (pg 6, What are thresholds?). It would have been obvious to one of ordinary skill in the art at the time of invention to implement the rating system disclosed by Slashdot within the system of Hertz, in

order to allow users to filter message based on user feedback (Slashdot pg 6, What are thresholds?).

32. In further considering claim 25, Slashdot discloses restricting points of evaluation to a select group of users (moderators) in order to ensure the quality of feedback (Slashdot pg 4 – Who). It would have been obvious to one of ordinary skill in the art at the time of invention to restrict points of evaluation to a select group of users, including owners of related bulletin boards, within the combined Hertz and Slashdot system in order to ensure the quality of feedback.

### *Conclusion*

33. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

34. This office action is made **NON-FINAL**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
December 20, 2004

  
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